

Exhibit 13

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NBAA Welcomes Delay, Emphasizes Collaboration as East Hampton Postpones HTO ‘Deactivation’ and Reopening Plans



Feb. 22, 2022


Following concerns expressed by NBAA, other stakeholders and the FAA, the East Hampton, NY town board voted to delay its plan to deactivate East Hampton Airport (HTO) and then reopen a “new airport” in its place, with potential new operational restrictions.


The town originally planned to close HTO at the end of February and reopen it three days later as a private-use airport that, while ostensibly remaining open to the public, could be subject to prior-permission required conditions imposed at the town’s whim, such as curfews, restrictions against certain types of operations and aircraft, and other limitations.

That closure now is planned to occur at 11:59 p.m. May 17, with the airport reopening at 9 a.m. May 19.


“We are encouraged by the town’s willingness to delay and to remain engaged with aviation stakeholders on shaping the future of HTO,” said Alex Gertsen, CAM, NBAA director for airports and ground infrastructure. “That said, NBAA remains very concerned about the flawed plan to close HTO and reopen a new airport.”

The board resolution, adopted Feb. 17, maintains the town’s position that it has the authority to determine future access to HTO following the expiration of federal grant assurances last year supplemented by the closure and re-opening. However, it’s not yet known how that plan might withstand scrutiny by the FAA and others.

 Read the town of East Hampton Feb. 17 resolution. (</wp-content/uploads/aircraft-operations/airports/hto/2022-02-17-Airport-Closure-Date-Resolution-Amendment.pdf>)

 Read the town of East Hampton Feb. 17 press release on delay of deactivation. (</wp-content/uploads/aircraft-operations/airports/hto/2022-02-17-East-Hampton-Airport-Deactivation-Delayed-Press-Release.pdf>)

In a Feb. 2 letter, FAA Regional Administrator Marie Kennington-Gardiner cautioned the board that “deactivating” and then re-opening HTO would create a number of challenges that could not be met by the FAA during the short timeframe originally set by the town.

 Read the FAA letter in its entirety. (/wp-content/uploads/aircraft-operations/airports/hto/FAA-Letter-re-HTO-Closure-and-Reopening-02-02-2022.pdf)

When the airport reopens, it is expected to have a new four-letter airport identifier and is still expected to have Class D airspace when a seasonal non-federal, air traffic control contract tower is in operation, and Class E to the surface when the tower is closed. The new airport would also initially lack instrument approach procedures, due to the time needed for implementation.

Such consequences reaffirm the need for stakeholders and the town to maintain an open and constructive dialogue, a point Gertsen also emphasized during a Feb. 15 town board work session.

“NBAA [approaches] the airport as an ecosystem,” he said. “We advocate to find solutions of all types of operators to continue in an efficient and neighborly way, [and] I want to acknowledge the effort the board undertook in going through the decision-making process to ultimately reach the conclusion to preserve the airport.”

East Hampton Town Board Work Session 02/15/22




Town Supervisor Peter Van Scoyoc expressed his appreciation for NBAA's position. "We look forward to a collaborative effort ... to end up with an airport that the community supports," he said. "We certainly appreciate that aviation interests are willing to help move through some of the potential obstacles that might arise over proceeding with our plan."

Additionally last week, three HTO stakeholder groups – representing airport users, tenants and operators, as well as area residents – filed lawsuits to halt the closure plan, arguing it would implicate not only FAA requirements, but state laws that require study of the environmental impacts of the changes, both in East Hampton and in other communities to which air traffic would divert. Hearings in all three cases are scheduled for March 31.

"We are at a unique juncture, following grant-assurance expiration and the mounting challenge to the statutory obligations that we interpret to still remain in effect, as the town prepares to follow an uncharted path to preserve the airport by looking to reduce volume and frequency of operations," explained Gertsen. "While a number of individual stakeholders felt compelled to resort to legal action, NBAA and other national and regional organizations are working with the town and the FAA to seek common ground for a solution that would balance the benefits of both commerce and noise sensitive operations."

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